UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,885	03/24/2004	David R. Yee	021756-069200US	6635

51206   7590   05/28/2009
TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
LEWIS, ALICIA M

ART UNIT	PAPER NUMBER
2164	

MAIL DATE	DELIVERY MODE
05/28/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7 and 9-25* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 9-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This office action is responsive to communication filed February 5, 2009. Claims

1, 9 and 24 are currently amended; claim 8 is canceled. Thus, claims 1-7 and 9-25 are

pending in this application.

Claim Objections

1.   Claims 1 and 9 are objected to because of the following informalities: the claim

language "processor operable to" should be amended to "a processor configured to" in

order to show that the processor is actually configured to perform the recited functions.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-5, 7, 9-14, 16-22 and 24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1,

published 8/1/2002) ('Dutta') in view of Malcolm (US 2008/0172717 A1, *priority date*

9/17/2003).

With respect to claims 1, 9 and 17, Dutta teaches:

a processor (paragraphs 22, 27 and 29) operable to execute one or more software components, wherein the software components include a servlet, an analyzer, and a filter (paragraphs 20 and 126-127);

the servlet accessing said web page comprising said content (paragraphs 33, 35 and 134; step 610 in Fig. 6);

the filter processing the web page (paragraphs 19, 33-34 and 137);

the servlet transferring the content of the web page to an analyzer (paragraph 135);

the analyzer analyzing the content of the web page (paragraphs 126-128 and 135);

the analyzer returning a result of said analyzing to the servlet (paragraphs 127 and 135);

the servlet appending the result of said analyzing to the content of said web page (paragraph 137); and

the browser displaying said web page and said result (paragraphs 135 and 137).

Dutta does not teach wherein said content is secure content, processing the web page prior to encryption of said secure content and analyzing the content of the web page prior to encryption of said secure content.

Malcolm teaches an information management system (see abstract), in which he teaches:

accessing a web page comprising secure content (paragraphs 20, 83, 89 and 91);

processing the web page prior to encryption of said secure content (paragraphs 60, 91 and 102); and

analyzing the content of the web page prior to encryption of said secure content (paragraphs 60, 91 and 102).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dutta by the teaching of Malcolm because a web page comprising secure content, processing the web page prior to encryption of said secure content and analyzing the content of the web page prior to encryption of said secure content would enable filtering of undesirable websites (Malcolm, paragraph 26), and the use of browser plug-in modules to examine transmission content before content has been encrypted (paragraph 60), thus providing secure transmission of data by enterprise staff (Malcolm, paragraph 29).

With respect to claims 2, 10 and 18, Dutta as modified teaches wherein said accessing said web page comprising content is performed by an application server operating on a first computing system (Dutta, paragraphs 19 and 35-36).

With respect to claim 3, Dutta as modified teaches wherein said filter is a function of the application server (Dutta, paragraphs 19 and 35), wherein said filter is selectively

activated by a webpage development tool accessible to said first computing system (Dutta, paragraphs 133-135).

With respect to claims 4, 12 and 20, Dutta as modified teaches wherein said server and said filter operate in said first computing system (Dutta, paragraph 134).

With respect to claims 5, 14 and 22, Dutta as modified teaches wherein said analyzer operates on a second computing system that is communicatively coupled with said first computing system (Dutta, Figures 1A and 1B, paragraphs 19, 34 and 37).

With respect to claims 7, 16 and 24, Dutta as modified teaches wherein said filter transfers content of the web page to the analyzer in a hypertext mark-up language (HTML) format (Dutta, paragraph 33).

With respect to claims 11 and 19, Dutta as modified teaches wherein said filter is a function of the application server (Dutta, paragraphs 19 and 35).

With respect to claims 13 and 21, Dutta as modified teaches wherein said request for said web page is generated by a browser operating on said first computing system (Dutta, paragraph 35).

4.   Claims 6, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1) ('Dutta') in view

of Malcolm (US 2008/0172717 A1, *priority date 9/17/2003*), as applied to claims 1-5, 7,

9-14, 16-22 and 24 above, and further in view of Markel et al. (US Patent Application

Publication 2002/0156799 A1) ('Markel').

With respect to claims 6, 15 and 23, Dutta in view of Malcolm teaches claims 1, 9

and 17.

Dutta in view of Malcolm does not teach wherein said analyzer analyzes said

content of said web page for compliance with federal law.

Markel teaches a system and method for verifying and correcting websites (see

abstract), in which he teaches wherein said analyzer analyzes said content of said web

page for compliance with federal law (paragraph 74).

It would have been obvious to a person having ordinary skill in the art at the time

the invention was made to have further modified Dutta by the teaching of Markel

because wherein said analyzer analyzes said content of said web page for compliance

with federal law would enable website providers to diagnose, evaluate, report, and

retrofit code violations existing in websites to meet both in-house and industry design

standards (Markel, paragraph 52).

5.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et

al. (US Patent Application Publication 2002/0103914 A1) ('Dutta') in view of Malcolm

(US 2008/0172717 A1, *priority date 9/17/2003*), as applied to claims 1-5, 7, 9-14, 16-22

and 24 above, and further in view of Berstis et al. (US 6,510,458 B1, *filing date*

7/15/1999) ('Berstis').

With respect to claim 25, Dutta in view of Malcolm teaches processing a web

page using a filter.

Dutta in view of Malcolm does not teach performing sequential filtering of said

web page using a plurality of filters of said filter.

Berstis teaches blocking saves to web browser cache based on content rating

(see abstract), in which he teaches performing sequential filtering of said web page

(steps 1206 and 1208 in Figure 12, column 20 lines 38-39) using a plurality of filters of

said filter (column 18 lines 3-10 and 37-47).

It would have been obvious to a person having ordinary skill in the art at the time

the invention was made to have further modified Dutta by the teaching of Berstis

because performing sequential filtering of said web page using a plurality of filters of

said filter would enable a browser with the capability of blocking web page information

from the browser cache based on predefined user preferences (Berstis, abstract).

Response to Arguments

6.   Applicant's arguments filed February 5, 2009 have been fully considered but they

are not persuasive. Applicant argues that the cited prior art fails to teach appending the

result of said analyzing to the content of said web page. Examiner disagrees. Dutta

teaches that a content evaluator evaluates the search results for conformance with

criteria and returns the result of the accessibility level of the entries of the search results (paragraph 135). He further teaches that all search result entries may be maintained, with those that do not meet requirements being appended to include an indicator that the entry does not meet the required level (paragraph 137). The appended indicator, which is appended to the web page entry, represents a result of the analyzing. Thus, Dutta teaches the above argued limitation.

7.   Applicant further argues that Dutta fails to teach displaying said web page and said result. As mentioned above, the content evaluator evaluates the search results for conformance with criteria and returns the result of the accessibility level of the entries of the search results (paragraph 135). The results are compared with accessibility level requirements (paragraph 136) and then returned. Dutta teaches that results, i.e. an indicator) may be appended to search results, i.e. web pages, and further that the search results are provided to the client via interface 560 (paragraph 137). Thus, it is clear that the web page and result are displayed.

8.   Lastly, Applicant argues that the cited prior art fails to teach the analyzer analyzing the content of the web page, prior to encryption of said secure content. Examiner disagrees. More specifically, Applicant argues that Malcolm does not teach an analyzer as part of a server. However, this is not claimed. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., an analyzer as part of a server) are not recited in the rejected claim(s). Although the claims are interpreted in light of

the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

9.   Malcolm has been used to teach secure content, processing a web page prior to encryption of secure content and analyzing content on a web page prior to encryption of secure content, which he teaches in paragraphs 20, 60, 83, 89, 91, and 102. Dutta teaches all other aspects of independent claims 1, 9 and 17, including an analyzer.

Conclusion

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. M. L./
Examiner, Art Unit 2164
May 26, 2009

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164